TEXAS

SUMMARY OF PLANT PROTECTION REGULATIONS

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Texas Department of Agriculture

Regulatory Division

Plant Quality Programs

P.O. Box 12847

Austin, Texas 78711

Shashank Nilakhe, Ph.D.....State Entomologist

Phone: (512) 463-1145

Fax: (512) 463-8225

E-mail: snilakhe@agr.state.tx.us

Awinash Bhatkar, Ph.D......Coordinator for Plant Quality Programs

Phone: (512) 463-5025

Fax: (512) 463-8225

E-mail: abhatkar@agr.state.tx.us

NURSERY PRODUCTS AND FLORAL ITEMS

Nursery product - A tree, shrub, vine, cutting, graft, scion, grass, bulb or bud that is grown for, kept for, or is capable of propagation and distribution for sale or lease.

Floral item - A cut flower, potted plant, blooming plant, inside foliage plant, bedding plant, corsage flower, cut foliage, floral decoration, or live decorative material.

PERMIT REQUIREMENTS

Within the state of Texas, any person, firm or corporation, growing for sale or lease, or otherwise distributing floral items or nursery products must apply for registration by submitting an application and applicable fee. A certificate of registration is required for each location. Generally, any product shipped from other states must be certified to be apparently free of pests and diseases. Regulated products shipped from other states must be certified free of all regulated pests and diseases, or a cooperative agreement between the shipping and receiving states must be in place.

A complete listing of regulations by the Texas Department of Agriculture can be found at the following address on the World Wide Web: http://www.agr.state.tx.us/

QUARANTINES OR ADDITIONAL REQUIREMENTS

BURROWING NEMATODE

PEST: Burrowing Nematode, Radopholus similis

STATES REGULATED: States of Florida, Hawaii, Commonwealth of Puerto Rico, and any other area where burrowing nematode is found.

MATERIAL REGULATED: All plants and plant parts with roots, all parts of plants produced below the ground or soil level, and all soil and potting media are quarantined.

RESTRICTIONS: Shipments from quarantined areas may enter Texas if each package or bundle is accompanied by a special tag issued by an authorized representative of the state or commonwealth of origin that:

- (1) specifies the state or commonwealth of origin; and
 - (2) certifies that the quarantine articles came from a nursery, which has been inspected within the preceding year and found to be free from the Burrowing Nematode.

Plants produced from seed, or propagating plant parts determined to be free from Burrowing Nematode and have been grown above ground in sterilized soil or other suitable material prepared or treated and protected from nematode infestation until shipped are exempted from the provisions of this quarantine.

CAMELLIA FLOWER BLIGHT

PEST: Camellia Flower Blight

STATES REGULATED: All areas outside the state of Texas.

MATERIALS REGULATED: Camellia plants that are potted or balled with soil on roots; flower buds showing color; open camellia flowers; or cut camellia flowers originating from a quarantined area.

RESTRICTIONS: Quarantined articles originating from quarantined areas are prohibited entry into Texas except, camellia plants with buds showing no trace of color may enter the state of Texas provided a certificate issued by an authorized inspector of the state of origin accompanies each shipment stating that no color is showing in the buds of the plant.

CARIBBEAN FRUIT FLY

PEST: Caribbean Fruit Fly, Anastrepha suspensa (Loew)

STATES REGULATED: Florida, the Commonwealth of Puerto Rico, and any other area infested by the Caribbean fruit fly.

MATERIALS REGULATED:

<u>COMMON NAMES</u> <u>BOTANICAL NAME</u>

Akee Blighia sapida

Allspice Pimenta dioica

Apple Malus sylvestris

Avocado, except commercial fruit Persea americana

Barbados cherry Malpighia glabra

Bell pepper, except commercial fruit Capsicum frutescens

Blackberry Rubus hybrid

Box orange Severinia buxifolia

Cattley guava Psidium cattleianum

Calamondin Citrofortunella (Citrus) mitis

Capulin Muntingia calabura

Carambola Averrhoa carambola

Ceylon gooseberry Dovyalis hebecarpa

Cherry of the Rio Grande Eugenia aggregata

Common guava Psidium guajava

Cocoplum Chrysolbalanus icaco

Costa Rican guava Psidium freidrichsthalianum

Egg fruit Pouteria campechiana

Fig Ficus carica

Governor's plum Flacourtia indica

Grapefruit Citrus paradisi

Grumichama Eugenia brasiliensis

Guiana plum Drypetes lateriflora

Imbe Garcinia livingstonei

Jadoticaba Myrciaria cauliflora

Jambolan plum Syzygium cumini

Japanese pear Pyrus pyrifolia

Japanese persimmon Diospyros khaki

Kei apple Dovyalis caffra

Kieffer pear Pyrus pyrifolia x Pyrus communis

Kumquat Fortunella crassifolia

Kumquat (oval) Fortunella margarita

Lime Citrus aurantifolia

Lime berry Triphasia trifolia x Fortunella japonica

Loquat Eriobotrya japonica

Lychee, except commercial fruit Litchi chinensis

Mango Mangifera indica

Miracle fruit Synsepalum dulcificum

Natal plum Carissa grandiflora

Nectarine Prunus persica "Nectarina"

Orange jasmine Murraya paniculata

Orangequat Citrus nobilis "unshu" x Fortunella sp.

Otaheite apple Spondias cytherea

Papaya Carica papaya

Peach Prunus persica

Pear Pyrus communis

Pitomba Eugenia luschnathiana

Pomegranate Punica granatum

Pond apple Annona glabra

Rangpur lime Citrus limonia

Rose apple Syzygium jambos

Sapodilla Manikara (Achras) zapota

Sour orange Citrus aurantium

Sour apple Annona squamosa

Surinam cherry Eugenia uniflora

Sweet lemon Citrus limetta

Sweet orange Citrus sinensis

Tangelo Citrus paradosi x Citrus reticulata

Tangerine Citrus reticulata

Temple orange Citrus sinensis x citrus reticulata

Tomato, except commercial fruit Lycopersicon esculentum

Tropical almond Terminalia catappa

Velvet apple Diospyros discolor (D. blancoi)

Wampi Clausena lansium

Water apple Syzygium samarangense

White sapote Casimiroa edulis

Wild balsam apple Mormodica charantia

Wild cinnamon Canella winteriana

Wild dilly Manilkara bahamensis

Annona hybrid

Atalantia citriodes

Eugenia coronata

Eugenia ligustrina

Ficus altissima

Garcinia tinctoria

Mimusops roxburghiana

Myrcianthes fragrans

Myrciaria glomerata

Pseudanamomis umbellulifera

Psidium sp.

Rheedia aristata

Terminalia muelleri

Trevisia palmata

RESTRICTIONS:

- (1) Quarantined articles accompanied by a certificate issued by the authorized state, commonwealth or federal department of agriculture affirming an approved Caribbean fruit fly treatment and without an exposure to reinfestation are admissible.
- (2) Quarantined articles are admissible into Texas from Florida provided each lot is accompanied by a certificate issued by the Florida Department of Agriculture and Consumer Services stating that the shipment meets the conditions established in the protocol for the exportation of fresh fruits to Japan.

CITRUS QUALITY

PEST: None

STATES REGULATED: All

MATERIALS REGULATED: Grapefruit and oranges.

RESTRICTIONS:

- (1) Citrus fruit must meet minimum juice and soluble solid requirements stablished by the department; or
- (2) Coloring matter shall not be applied to grapefruit and oranges unless the fruit meets the applicable maturity standards.

CITRUS QUARANTINES

CITRUS DISEASES AND PESTS

DISEASES: Strains of citrus tristeza virus, citrus canker, psorosis, viral leprosis, citrus blight, stubborn, greening, citrus variegated chlorosis and citrus scab.

PESTS--INSECTS AND MITES: Brown citrus aphid, *Toxoptera citricida*; Branch and twig borer, *Melalgus confertus*; Citrus psilid, *Diaphorina citri*; Orange sppiny whitefly, *Aleurocanthus spiniferous*; Avocado whitefly, *Trialeurodes floridensis*; Plumeria whitefly, *Paraleurodes perseae*; Inconspicuous whitefly, *Bemesia inconspicua*; Citrus root weevil, *Pachnaeus litus*; Sugarcane root-stalk borer weevil, *Diaprepes abbreviata*; Rufous scale, *Selenaspidus articulatus*; Carribbean black scale, *Saissetia neglecta*; Citrus snow scale, *Unaspis citri*; Oystershell scale, *Lepidosaphes ulmi*; Citrus bud mite, *Eriophyes sheldoni*; Sixspotted mite, *Eotetranychus sexmaculatus*; Yuma spider mite, *Eotetranychus yumensis*; Orange sawyer, *Elaphidion inerne*; and Citrus thrips, *Scirtothrips citri*.

STATES REGULATED: All states--all areas outside Texas citrus zone.

MATERIALS REGULATED: Seeds, grafts, citrus budded nursery stock or seedlings, citrus budwood, Florida miniature citrus house plants, or any other parts of citrus tree or seedlings.

RESTRICTIONS: A permit may be obtained by contacting the Texas Department of Agriculture to ship quarantined articles into Texas or into the citrus zone within Texas (Brooks, Cameron, Hidalgo, Jim Hogg, Kenedy, Starr, Willacy, and Zapata Counties) certifying that:

- (1) quarantined articles are free of citrus pests; (with specific exemptions-- citrus seed produced in California and commercial citrus fruit do not require permits)
- (2) budwood of citrus varieties not existing in Texas originated from an area free of citrus blight and have received negative test results for the diseases of concern.
- (3) citrus seed produced in Florida is free from citrus canker, and that the seed has been treated to eliminate bacterial and fungal pathogens prior to shipment.

DATE PALM LETHAL DECLINE

PEST: Date Palm Lethal Decline

STATES REGULATED: Texas counties of Cameron, Hidalgo, and Willacy.

MATERIALS REGULATED: All parts of the Canary Island palm, *Phoenix canariensis* and all parts of the date palm, *Phoenix dactylifera* are quarantined, as well as, tools used in pruning and handling of quarantined articles are quarantined. Palm seed are exempt.

RESTRICTIONS: Movement of quarantined articles within and from the quarantined areas of Texas is prohibited except by special permit issued by the Texas Department of Agriculture.

EUROPEAN BROWN GARDEN SNAIL

PEST: European Brown Garden Snail, *Helix aspersa* (Muller)

STATES REGULATED: Arizona, California

MATERIALS REGULATED: The quarantined articles are horticultural and nursery stock with roots in soil and growing media.

RESTRICTIONS: Quarantined articles may enter Texas if:

- (1) accompanied by a certificate, issued by and bearing the signature of, an authorized representative of the origin state's department of agriculture, certifying that such quarantined articles were inspected and found to be apparently free of European Brown Garden Snail; or
- (2) accompanied by a certificate authorized by a compliance agreement which is on file with the Texas Department of Agriculture; issued by and under the signature of an authorized representative of the origin state's department of agriculture certifying that such shipper is currently certified to have a nursery, or growing area within a nursery, apparently free of infestation of the European Brown Garden Snail. Such compliance certification shall require inspection by an authorized representative of the origin state's department of agriculture on at least a semiannual basis; or
- (3) accompanied by a certificate, issued by and under the signature of, an authorized representative of the origin state's department of agriculture, certifying that such quarantined articles were treated with an approved molluscicide at the recommended rate; or
- (4) accompanied by a certificate, issued by and under the signature of an authorized representative of the origin state's department of agriculture, certifying that the pest is not known to occur in the nursery or growing area from which the shipment originated.

IMPORTED FIRE ANT

PEST: Red Imported Fire Ant, Solenopsis invicta (Buren)

STATES REGULATED: Parts of Texas and any other areas where the pest is found shall also be quarantined. The department hereby adopts regulated areas in the most current 7 Code of Federal Regulations §301.81-3.

MATERIALS REGULATED: The imported fire ant in any living state of

development; soil, compost, decomposed manure, humus, muck, and peat, separately or with other things; plants with roots with soil attached; grass sod; baled hay and baled straw stored in direct contact with the ground; logs, pulpwood, and stumpwood; used mechanized soil-moving equipment; any other products, articles, or means of conveyance of any character whatsoever not covered when it is determined that they present a hazard of spread of imported fire ants and the person in possession thereof has been notified.

RESTRICTIONS: Unless an exemption is given, the movement of quarantined articles from any quarantined area into or through any point outside thereof must accompany a phytosanitary certificate or a permit.

KARNAL BUNT

PEST: Karnal bunt, *Tilletia indica*, (Mitra).

The department hereby adopts by reference for intrastate movement the Federal Karnal Bunt Quarantine as adopted by the United States Department of Agriculture, 7 Code of Federal Regulations, §301.89-1 through 301.89-14.

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LETHAL YELLOWING

PEST: Lethal Yellowing

STATES REGULATED: The entire state of Florida, the Commonwealth of Puerto Rico, and the Territory of Guam.

MATERIALS REGULATED:

COMMON NAME BOTANICAL NAME

Sand palm *Allagoptera arenaria*

Ruffle palm Aiphanes lindeniana

Engle's sugar palm Arenga engleri

Palmyra palm *Borrassus flabellifer*

Cluster fish-tail palm Caryota mitis

Solitary fish-tail palm Caryota rumphiana

Cabada palm Chrysalidocarpus cabadae

Coconut palm Cocos nucifera

Buri palm, Gebang palm Corypha utan

Talipot palm Corypha elata

Hurricane or Princess palm Dictyosperma album

Puerto Rican Gaussia Gaussia attenuata

Belmore sentry palm Howea belmoreana

Spindle palm Hyophorbe verschaffeltii

Latan palm Latania Iontaroides

Chinese fan palm Livistona chinensis

Javanese fan palm Livistona rotundifolia

Mazari palm Nannorrhops ritchiana

Triangle palm Neodypsis decaryi

Screwpine Pandanus utilus

Canary Island date palm *Phoenix canariensis*

Date palm Phoenix dactylifera

Senegal date palm Phoenix reclinata

Pygmy date palm Phoenix roebelenii

Sylvester date palm Phoenix sylvestris

Hawaiian loulu palm Pritchardia affinis

Remota loulu palm Pritchardia remota

Fiji Island fan palm Pritchardia pacifica

Thurston's loulu palm Pritchardia thurstonii

Hildebrandt's palm Ravenea hildebrandtii

Arikury palm Syagrus schizophylla

Chinese windmill palm Trachycarpus fortunei

Christman palm Veitchia arecina

Manilla palm-Christmas palm Veitchia merrillii

Christmas palm Veitchia montgomeryana

Corypha taliera

RESTRICTIONS: Quarantined articles are prohibited entry into Texas.

Palm seed are exempt from the provisions of these rules. The department may allow shipments of quarantined articles under a special permit as new methods of treatment are approved.

PECAN WEEVIL

PEST: Pecan Weevil, Curculio caryae (Horn)

STATES REGULATED: The quarantined areas are as follows:

- (1) Eddy and Chaves counties, New Mexico and all other states and districts of the United States except Arizona, California, and the remainder of New Mexico.
- (2) All areas in Texas, except the counties of El Paso, Hudspeth, Culberson, Jeff Davis, and Presidio.

MATERIALS REGULATED: All hickory, pecan, and walnut trees and parts thereof, except extracted nut meats, originating from quarantined areas are quarantined.

RESTRICTIONS:

All quarantined articles must be free of husk and accompanied by a state certificate

certifying that the products were treated in the following manner:

- (1) dipped in water at a temperature of at least 140 degrees Fahrenheit for 30 seconds. It is not necessary to dip the parts of a tree that will be below ground level; or
- (2) held at a temperature of 0 degrees Fahrenheit for a period of 168 consecutive hours or longer after the entire lot has reached the desired temperature; or
- (3) alternate treatments may be approved upon departmental review.

PINE SHOOT BEETLE QUARANTINE

PEST: Pine Shoot Beetle, *Tomicus piniperda* (Linnaeus)

The Texas Department of Agriculture hereby adopts by reference the Federal Pine Shoot Beetle Quarantine as adopted by the United States Department of

Agriculture, 7 Code of Federal Regulations, §301.50 through 301.50-10.

ROSE GRADES

PEST: None

STATES REGULATED: All states

MATERIALS REGULATED: Rose bushes including labeling and grades.

RESTRICTIONS: Roses must be labeled and graded before being offered

for sale in Texas.

SWEET POTATO WEEVIL

PEST: Sweet Potato Weevil, *Cylas formicarius* (Fab.)

STATES REGULATED: The quarantined areas are as follows:

- (1) Alabama: Baldwin, Coffed, Covington, Geneva, Houston, and Mobile.
- (2) Arkansas: Ouachita County.
- (3) Florida: Entire state.
- (4) Georgia: Appling, Bacon, Brooks, Bryan, Camden, Chatham, Colquitt, Cook, Decatur, Dougherty, Echols, Grady, Glynn, Liberty, Lowndes, McIntosh, Pierce, Thomas, Ware, and Wayne.
- (5) Louisiana: Acadia, Allen, Ascension, Assumption, Avoyelles, Beauregard, Bienville, Calcasieu, Cameron, East Baton Rouge, Evangeline, East Feliciana, Grant, Iberia, Iberville, Jefferson, Jefferson Davis, Lafayette, Lafourche, Livingston, Natchitoches, Orleans, Plaquemines, Pointe Coupee, Rapides, Sabine, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Helena, St. Landry, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Vermilion, Vernon, Washington, Webster, West Baton Rouge, and West Feliciana.
- (6) Mississippi: Adams, Copiah, Covington, Forrest, George, Greene, Hancock, Harrison, Jackson, Lamar, Lawrence, Lincoln, Marion, Pearl River, Perry, Pike, Simpson, Smith, Stone, and Walthall.
- (7) South Carolina: Beaufort, Charleston, and Jasper.

(8) Texas: Anderson, Angelina, Aransas, Atascosa, Austin, Bandera, Bastrop, Bee, Bell, Bexar, Blanco, Brazoria, Brazos, Brooks, Burleson, Burnet, Caldwell, Calhoun, Cameron, Chambers, Cherokee, Colorado, Comal, Coryell, DeWitt, Dimmitt, Duval, Edwards, Falls, Fayette, Fort Bend, Freestone, Frio, Galveston, Goliad, Gonzales, Grimes, Guadalupe, Hardin, Harris, Hays, Hidalgo, Houston, Jackson, Jasper, Jefferson, Jim Hogg, Jim Wells, Karnes, Kendall, Kenedy, Kerr, Kinney, Kleberg, Lampasas, La Salle, Lavaca, Lee, Leon, Liberty, Live Oak, Madison, Matagorda, Maverick, McMullen, Medina, Milam, Montgomery, Nacogdoches, Newton, Nueces, Orange, Panola, Polk, Real, Refugio, Rusk, Sabine, San Augustine, San Jacinto, San Patricio, Shelby, Starr, Travis, Trinity, Tyler, Uvalde, Val Verde, Victoria, Walker, Waller, Washington, Webb, Wharton, Willacy, Williamson, Wilson, Zapata, and Zavala.

MATERIALS REGULATED:

All sweet potato roots or tubers, plants, vines, or parts thereof; any vines or roots of other plants belonging to the genus *Ipomoea*; and any containers or bins used in the transportation of sweet potatoes originating from a quarantined area are quarantined.

RESTRICTIONS:

a. General. Quarantined articles from quarantined areas are prohibited entry into Texas and shall not be moved from any quarantined area into or within the free area of Texas, except as provided in paragraph (b) of this section.

(b) Exceptions.

- (1) Shipments from quarantined areas of other states are allowed entry into quarantined areas of Texas if a permit is obtained from the department and used as follows:
 - (A) a permit application may be obtained from the Texas Department of Agriculture in Austin;
 - (B) applicants must have made bond in the amount of \$5000 to guarantee reimbursements to any purchasers of sweet potatoes shipped into the State of Texas for the purchase price and freight charges thereon, if destroyed or returned to the point of origin by an inspector;
 - (C) a copy of the permit must be printed on tags, one of which is to be firmly affixed to each container of a shipment, and such tags may be used only by the

holder of a permit;

- (D) each tag must show the name, street address, and city of the consignee;
- (E) sweet potatoes must be shipped from holders of permits, hauled by holders of permits, and such potatoes must have been purchased from a permit holder;
- (F) all shipments of sweet potatoes must be accompanied by a certificate, issued by and bearing the signature of an authorized representative of the origin state's department of agriculture, certifying that such shipment was inspected and found to be free of sweet potato weevil and a copy of this certificate of inspection must be sent to the Austin headquarters of the department the day the certificate is issued.
- (2) Subject to the restriction in paragraph (3) of this section, a certificate for the movement of quarantined articles from any quarantined duly authorized inspector upon determination that:
 - (A) the material certified is apparently free from infestation of the material has been produced, packed, and handled for shipment under such conditions as to eliminate any danger of the spread of weevils.
- (3) No certificate shall be issued for the shipment of sweet potatoes from a quarantined area in Texas to:
 - (A) a sweet potato weevil free area in Texas unless they were produced in a weevil free area and moved under special permit; or
 - (B) any state which prohibits such entry.
 - (C) Bedding, Production, and Distribution of Propagative Sweet Potatoes and Slips in Weevil Free Areas.
- (1) Only state certified sweet potato plants may be sold or offered for sale in Texas.
- (2) No sweet potato vines, plants, or parts thereof shall be planted within one mile of an infestation which has been found within 12 months; except the grower must agree in writing to follow an insecticide treatment program prescribed by the department.

- (3) Location and condition of storage places on infested properties shall be approved by an authorized representative of the department.
- (4) All sweet potatoes remaining in storage within one mile of an infestation after February 1 of the year following production must be treated.

VEGETABLE PLANTS

PEST: Nematode root knot, early blight, collar rot, gray leaf spot, late blight, fusarium wilt, verticillium wilt, bacterial wilt, bacterial canker, bacterial spot, southern blight, mosaic, garden fleahopper, thrips, flea beetle, serpentine leaf miner, black rot, yellow blackleg.

STATES REGULATED: All

MATERIALS REGULATED: Vegetable plants (tomatoes, cabbage, cauliflower, broccoli, collards, peppers, onions, and eggplants).

RESTRICTIONS: If another state has a vegetable certification program similar to Texas, the department may enter into reciprocal agreement with other states, otherwise all plants must have attached a certificate tag or stamp issued by the department and affixed at the point of origin.

GYPSY MOTH QUARANTINE

PEST: Gypsy Moth, Lymantria dispar (Linnaeus)

The department hereby adopts by reference the Federal Gypsy Moth Quarantine as adopted by the United States Department of Agriculture, 7 Code of Federal Regulations, §301.45 through 301.45-12.

EUROPEAN CORN BORER

PEST: European Corn Borer, Pyrausta numilalis (Hubn).

STATES REGULATED: Alabama, Arkansas, Colorado, Connecticut, Delaware, Georgia, Illinois, Iowa, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, Wyoming, the District of Columbia are quarantined areas.

The Texas counties of Carson, Dallam, Deaf Smith, Gray, Hansford, Hartley, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Potter, Randall, Roberts, and

Sherman are also quarantined areas.

MATERIAL REGULATED: All unmanufactered forms of corn, broomcorn, sorghums, and sudan grass, plants, and all parts thereof (including seed and shelled grain, and stalks, ears, cobs, and all other parts, fragments, or debris of said plants), beans in the pod, beets, celery, peppers (fruits), endive, Swiss chard, and rhubarb (cut or plants with roots), cut flowers and entire plants of aster, chrysanthemum, calendula, cosmos, hollyhock, marigold, zinnia, Japanese hop, dahlia (except tubers without stems), and gladiolus (except corms without stems) originating from quarantined areas are quarantined.

RESTRICTIONS: Quarantined articles originating from quarantined areas are prohibited entry into or through the free areas of Texas except:

- (1) individual shipments of lots of shelled grain or seed of 100 pounds or less;
- (2) quarantined articles in packages less than 10 pounds and free from plant material capable of harboring European Corn Borer;
- (3) quarantined articles with divisions without stems of the previous year's growth, rooted cuttings, seedling plants or cut flowers shipped during the period between November 30th to May 1st.

EXCEPTIONS:

- (1) A quarantined article may be shipped into a free area in Texas if it is accompanied by a certificate issued by an authorized representative of the origin state's department of a agriculture.
- (2) Unfumigated and unscreened grain may be shipped through the free area of Texas if it is destined to a foreign port through a port elevator operating under the authority of the Federal Grain Inspection Service, provided a certificate from the state of origin accompanies each shipment.